



3738

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PATENT
Customer No. 22,852
Attorney Docket No. 08442.0002.04000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Joseph C. CAUTHEN) Group Art Unit: 3738
Application No.: 10/085,040) Examiner: U. Chattpadhyay
Filed: March 1, 2002) Confirmation No.: 8078
For: INTERVERTEBRAL DISC)
ANNULUS STENT)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicant determines

that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

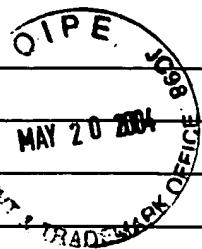
Dated: May 20, 2004

By: _____


Eric P. Raciti
Reg. No. 41,475

INFORMATION DISCLOSURE CITATION

| | | | |
|------------------|-------------------|------------|------------|
| Atty. Docket No. | 08442.0002-04 | Appln. No. | 10/085,040 |
| Applicant | Joseph C. CAUTHEN | | |
| Filing Date | March 1, 2002 | Group: | 3738 |

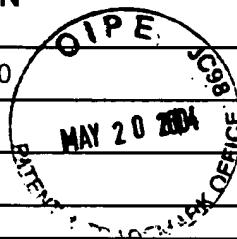


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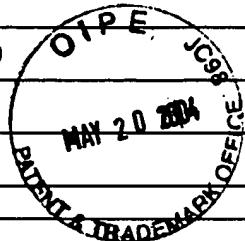


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| *Examiner: | Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |

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